

**REMARKS**

Claims 1, 4-8, 10-22 and 28-43 are pending in this application. By this Amendment, claims 1, 4-6, 10, 12, 38 and 42-43 are amended and claims 23 and 25-27 are canceled without prejudice or disclaimer. Various amendments are made to the claims for clarity and are unrelated to issues of patentability.

Entry of the amendments is proper under 37 C.F.R. §1.116 because the amendments: (1) place the application in condition for allowance; (2) do not raise any new issues requiring further search and/or consideration; (3) satisfy a requirement of form asserted in the Office Action; and/or (4) place the application in better form for appeal should an appeal be necessary. More specifically, the amendments to claims 1, 12 and 43 are based on the rejection under 35 U.S.C. §112 that was first raised in the outstanding Office Action. The current amendments are merely for clarity and do not raise any new issues. Entry is therefore proper under 37 C.F.R. §1.116.

The Office Action rejects claims 1, 12, 23 and 43 under 35 U.S.C. §112, first and second paragraphs. The Office Action raises issues regarding the claimed “feature of display” and/or “feature of a display by products.” In order to avoid any ambiguity, each of claims 1, 12 and 43 is amended to clarify the claims. Claim 23 is canceled. Withdrawal of the rejections under 35 U.S.C. §112 are respectfully requested.

The Office Action rejects claims 12-42 under 35 U.S.C. §102(e) over U.S. Patent 6,559,826 to Mendelson et al. (hereafter Mendelson). The Office Action also rejects claims 1, 4-8, 10-11 and 43 under 35 U.S.C. §103(a) over Mendelson and U.S. Patent Publication

2003/0058202 to Evanicky et al. (hereafter Evanicky). The rejections are respectfully traversed with respect to the pending claims.

Independent claim 1 recites a controller configured to receive the brightness signals and to compare the received brightness signals with a plurality of brightness signals and to output new brightness control codes based on the comparison, wherein the new brightness control codes selectively adjust a brightness of the display screen, the new brightness control codes structured in an EDID format.

The applied references do not teach or suggest at least these features of independent claim 1. More specifically, Mendelson does not teach or suggest features relating to the brightness control codes as recited in independent claim 1. Mendelson discloses a memory 595 that includes a second memory section 595b to store a monitor-specific reference profile and a memory section 595a to store an EDID. See Figure 7. Mendelson further discloses that calculations may be performed to determine an amount of degradation of a lamp and that degradation data may be used to determine an updated colorimetric reference profile for a monitor 216. See col. 14, lines 61-67. The updated colorimetric reference profile may be stored within the memory 595 (i.e., the second memory section 595b) within the monitor 216 or within the host computer system 10. See col. 15, lines 1-5.

Mendelson does not teach or suggest comparing the received brightness signals with a plurality of brightness signals and to output new brightness control codes based on the comparison, wherein the new brightness control codes selectively adjust a brightness of the display screen, the new brightness control codes structured in an EDID format. In discussing

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the claimed brightness control codes, the Office Action (on pages 16-17) cites various sections including Mendelson's col. 9, lines 28-48 and col. 11, lines 1-17. However, these cited sections do not suggest the claimed brightness control codes and/or the claimed brightness control codes structured in an EDID format. Further, Mendelson only discusses updating a colorimetric reference profile. Mendelson does not discuss outputting new brightness control codes where the brightness control codes are structured in an EDID format. Also, Mendelson's colorimetric reference profile is not structured in an EDID format. Accordingly, Mendelson does not teach or suggest the features alleged in the Office Action.

Furthermore, Evanicky does not teach or suggest the claimed brightness control codes or the claimed comparison and output of new brightness control codes as recited in independent claim 1. Accordingly, the applied references do not teach or suggest all the features of independent claim 1. Thus, independent claim 1 defines patentable subject matter.

Independent claim 12 recites a memory of the computer system configured to store a plurality of updated brightness control codes set based on outputs of the display portion that can be used by a controller of the computer system to set the display screen to a corresponding plurality of predetermined brightness levels. For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 12.

Also, Mendelson does not relate to a plurality of predetermined brightness levels. Rather, Mendelson displays an image at various intensity settings (col. 12, lines 37-58), measures chromacity values (col. 12, line 59-col. 13, line 8) and calculates luminous ratios at various lamp settings (col. 13, lines 9-14). This does not teach to set the display screen to a corresponding

plurality of predetermined brightness levels as recited in independent claim 12. Additionally, the comments on page 3 of the Office Action do not relate to a plurality of predetermined brightness levels. Rather, the comments appear to relate to merely adjusting a luminous ratio to various settings. However, this is not the claimed features.

Additionally, the Office Action (on pages 7-8) states that “[t]he examiner also interprets that the sensor 610 is a product which sets the control codes based on the output of the display, i.e., brightness.” However, there is no basis for this statement since Mendelson does not discuss setting (or resetting) of brightness control codes. As stated above, Mendelson merely updates a colorimetric reference profile. This does not suggest to store a plurality of updated brightness control codes set based on outputs of the display portion.

For at least the reasons set forth above, the applied references do not teach or suggest all the features of independent claim 12. Accordingly, independent claim 12 defines patentable subject matter.

Independent claim 15 recites a controller of the computer system coupled to the display screen and the sensor and configured to reset a plurality of brightness control codes corresponding to the plurality of brightness levels based on the brightness signals output by the sensor. For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 15. Accordingly, independent claim 15 defines patentable subject matter.

Independent claim 28 recites setting a brightness control code corresponding to the predetermined brightness level, wherein the driving includes initially driving the display using a

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brightness control code provided by a display manufacturer, and wherein setting the brightness control code includes setting a new brightness control code that replaces the brightness control code provided by the display manufacturer. For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 28. Further, the Office Action (on page 12, last seven lines) states that brightness control codes are reprogrammed to update brightness codes in reference profiles. Applicant respectfully disagrees with this statement. Mendelson does not disclose the alleged features but rather discloses updating a colorimetric reference profile. Accordingly, independent claim 28 defines patentable subject matter.

Independent claim 36 recites setting a brightness control code corresponding to the predetermined brightness level, repeating the driving, sensing, adjusting and setting a plurality of times to set a plurality of different brightness control codes corresponding to a plurality of different predetermined brightness levels and using one of the brightness control codes corresponding to a desired brightness level to drive the display at the desired brightness level. For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 36. Accordingly, independent claim 36 defines patentable subject matter.

Independent claim 43 recites a controller configured to receive the brightness signal and to compare the received brightness signal with a predetermined plurality of brightness signals set according to an output of the display screen and to output brightness control codes based on a result of the comparison, wherein the brightness control codes to selectively adjust a brightness

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of the display screen. For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 43. Accordingly, independent claim 43 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 1, 12, 15, 28, 36 and 43 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

For example, dependent claim 38 recites that the brightness control codes are set after the display is driven at the predetermined brightness level. See also dependent claims 41-42. The Office Action (on page 14) states the claimed brightness control code is set in steps 940-960 (of Fig. 9) after the display is driven. However, steps 940-960 do not discuss setting brightness control codes, but rather discuss storing a monitor-specific reference profile. Thus, the applied references do not teach or suggest all the features of dependent claims 38, 41 and 42. Thus, these dependent claims define patentable subject matter at least for this additional reason.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 1, 4-8, 10-22 and 28-43 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

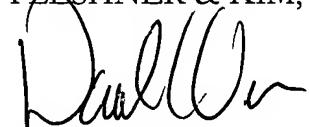
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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
FLESHNER & KIM, LLP



David C. Oren  
Registration No. 38,694

P.O. Box 221200  
Chantilly, Virginia 20153-1200

(703) 766-3701 DYK:DCO/kah

Date: July 13, 2006

Please direct all correspondence to Customer Number 34610